

Review of the Balance of Competence - Civil Justice Cooperation

Submission by Rebecca Taylor MEP - 24.07.2013

The following submission has been prepared on behalf of Rebecca Taylor MEP to provide an insight in the EU role in the civil justice cooperation, and in particular, a review of the benefits for the United Kingdom of the civil and family European legal instruments.

Rebecca Taylor MEP is a member of the Legal Affairs Committee (JURI). JURI has competence, amongst others, for legislation in the field of civil law and private international law, areas which affect citizens in their daily lives across the European Union.

The EU competence in the area of freedom, security and justice aims to provide freedom of movement for EU citizens in EU territory, including the 1.7 million British citizens living permanently in other EU countries. The UK negotiated a Protocol which provides an "opt-in" system for legislative measures in the field of freedom, security and justice, including civil judicial cooperation and family law. This means that the UK needs to expressly opt-in to a legislative proposal or adopted proposal.

1. General observations

There is a lot of public and political attention as well as media coverage on the European criminal justice proposals and their impact on British citizens. However, civil justice and family law instruments affect all British citizens at some point or another in their lifetime, not just the ones who break the law and fall under the criminal justice system. In his/her lifetime, a British citizen is much more likely to use a civil law instrument, in particular in cross-border situations, than be subject to it. This is why the UK needs to pay close attention to new civil justice cooperation instruments including giving input during their development, as well as the eventual opt-in (or not) decision. Of course, the ability to give valuable input and to influence the final shape of any civil justice cooperation instrument is also likely to have an impact on the opt-in decision

There is often the mention that the UK could follow into Denmark's footsteps and apply a full opt-out system. However, we do not believe this would be a suitable option particularly in the area of civil justice cooperation, as this would mean that the UK would have to adopt international agreements every time it would want to apply the European legislation of interest, while having no say in how those instruments are negotiated. This is considered further below, including the advantages and disadvantages of taking action at international level instead of European level in relation to civil justice cooperation. This is considered further below, including the advantages and disadvantages of taking action at international level instead of European level in relation to civil justice cooperation.

Currently, and for many years, the input of the UK Legal profession has been considered as very valuable in the European legislative process. In the European Parliament alone, and in particular in the Legal Affairs Committee, the UK has participated in a large number of hearings, workshops and other inter-parliamentary exchanges therefore allowing the Common law perspective to be considered and debated on every important legislative proposal. Annex I presents a list of hearing which have taken place during this European Parliamentary mandate so far; it is clearly shown that the input from UK/Common law experts is high, as for a total of 30 hearings, UK views were clearly represented in at least 16 of these.

2. The Opt-in process in the area of civil justice cooperation

Due to the Protocol in place in the area of freedom, security and justice, the UK has been in an interesting and strong position with regards to civil justice cooperation and family law legal instruments. The opt-in process has provided a very different playing field than other areas such as internal market where the UK is part of all legislative measures adopted.

In the past, in the field of civil justice cooperation and family law, the UK has been seen by many stakeholders and EU institutions as having as a starting point the willingness to opt-in unless some key concerns prevented this. However, it appears that the attitude of the UK has changed in recent years, with the UK now starting from an 'opt-out' view where the proposals would not apply, unless there was a need for it.

The UK's position in the Council has been very strong when legislative proposals in this area are considered. Other Member States generally want the UK to be part of legislation in this field as cross-border action is often more effective if all the Member States are involved. If the UK has some concerns about opting in due to a number of key points, is often the case that they will be addressed in order to have the UK opt-in. This is beneficial for British citizens who have as a result European legislative instruments in the field of civil justice cooperation & family law that have been developed with a significant Common law approach.

3. The benefits to the UK citizens in the area of civil justice cooperation & family law

In addition to the strong negotiating position that the UK has due to the opt-in process, the legislative instruments the UK has opted in to are highly advantageous to British citizens.

For example, the Brussels I Regulation has proved to be beneficial to British citizens as it has provided for mutual recognition and enforcement of civil and commercial judgements across Member States.

This means concretely that in a case of for example a British husband and a French wife seeking divorce proceedings in the UK, any final decision of the British courts concerning that divorce including the custody of their children will be recognised by courts in France. This is very important in cases of child abductions for example, as it allows a parent to have mutual recognition, but also enforcement of UK court judgments in other Member States, and vice-versa.

Another example of the benefits for British citizens can be seen with the European Small Claims Procedure¹, which enables creditors to seek judgments on claims not exceeding €2000 and for these judgements to be recognised automatically in all Member States. This has improved access to justice by simplifying cross-border small claims litigation in civil and commercial matters and reducing costs.

For example, a British consumer ordered gardening tools from a Spanish website and paid €320 in advance via bank transfer. However the Spanish trader never delivered nor did he reimburse the purchase price. The British consumer can (without needing a lawyer) start a European Small Claims Procedure. A British court having considered the claim, can then issue a judgement in the favour of the British consumer, which has to be enforced by the Spanish authorities in Spain, and for the consumer then to receive the full refund of the purchased price.

These are only a few examples where the decision to opt-in has been beneficial to British citizens.

4. Disadvantages for UK citizens with the current "opt-in" system

However, there are some disadvantages with the current British opt-in process for British citizens. As European legislation in the field of civil justice cooperation and family does not now automatically apply in the UK, this can cause some discrepancies for British citizens if the UK does not opt-in.

With regards to substantive civil law, a key example of European legislation where the UK decided not to opt-in and which is proving to be highly disadvantageous to British citizens is the Succession Regulation.

The UK is the European Member State with the most retired citizens living in other EU countries. The Home Office has found that each year around 4,000 to 8,000 retired British citizens leave the UK for another EU country, down from a peak of 22,000 in 2006.² It is also reported that there are high rates of growth in the number of British pensioners emigrating to France, Spain and Italy. If we consider that the majority of British retirees draw a will, it is always important to have legal clarity as to where that will can be enforced.

¹ Regulation 861/2007

² Home Office Report - Emigrating from the UK - Second Edition Research Report 68, November 2012 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116027/horr68-report.pdf

The Successions Regulation³ means in essence that a German national residing and retired in the Netherlands, with property in both countries will be subject to only one set of national rules which will apply to their succession. More importantly, the German citizen will be able to choose between German law and Dutch law to apply to his succession.

However, as the UK has decided not to opt-in, British citizens living abroad cannot benefit from this. Therefore, a British pensioner living in Spain, with a house in the UK and a flat in Spain will be able to choose to have British law or Spanish law for the succession on their property in Spain, but will not be able to choose Spanish succession law for their house in the UK, which means that the executors of their will are highly likely to end up having to deal with two legal systems. In addition, this also means that EU citizens residing and owning property in the UK would not be able to choose the law of their country of origin to apply for their succession.

Another example worth mentioning is the Justice Programme⁴ in relation to which the UK decided not to opt-in. This has proved to be detrimental for the UK as, for example, this has meant that no funds will be allocated to the UK for intra-EU exchange of the judiciary.

In essence, despite the strong negotiation position the UK currently has, the opt-in process has proved to be a double edge sword as it has also resulted in outcomes that are detrimental to British citizens.

5. Consideration of action at international level instead of EU level

As mentioned earlier, a lot has been said about the possibility of following the Danish model where there is a full opt-out in place in the area of freedom, security and justice. However, considering this option for the UK is, we believe not the way to go, as it would greatly reduce the UK's influence in the legislative process and related negotiations.

Denmark can in theory choose to have an international agreement with the EU to benefit from the European legislation in the field of civil justice cooperation and family law. In practice, as Denmark has decided that the majority of civil and family European law are of interest, they have had to draw an international agreement for each and every law which has proved to be a long-winded administrative process. In addition, a few years ago, Denmark considered opting back in a number of areas including civil justice cooperation; however this was put on hold following the financial crisis.

However, the most important aspect to note is that Denmark has no input into any of these legal instruments whatsoever, it only has a 'take it or leave it' choice once

³ Regulation 650/2012

⁴ 'Regulation establishing for the period 2014 to 2020 the Justice Programme'; 2011/0369 (COD) (This is still a proposal as it is being considered by the Committees in the European Parliament)

they are adopted. We believe it is essential for the UK to retain its strong negotiating position in Council in this area of justice in order that European legislation drawn up in this area continues to take a Common law approach into account.

It is strongly in the interests of British citizens that the UK government continues to consider action on civil justice at EU level, thus continuing to negotiate and influence via the opt-in process.

A final point to consider is that in terms of external influence and international action in the area of civil justice, the UK carries far more weight as part of the EU, than on its own.

6. Final conclusions

The UK's involvement in the development of civil justice cooperation instruments has been a successful one; influence has been exerted in a meaningful way in relation to instruments for which the UK has sought an opt-in and problems have been minor. British citizens living in other EU countries or forming families with other EU nationals, could no doubt testify to the usefulness of some of the opted into civil justice measures.

However, the move from a position where the UK has opted in except when serious concerns could not be assuaged, to one where the default position is an opt-out unless there is a good reason to opt-in, seems to us to be a move not in the British interest. This not only threatens the UK's position of relative strength in this area, but may also deprive British citizens of recourse to further EU civil justice instruments they may find useful. The experience of Denmark shows that a blanket opt-out followed by a case-by-case opt-in is not only procedurally burdensome and time consuming, but also results in a complete lack of Danish influence on the development of EU civil justice instruments, even when the Danes choose to opt back in.

ANNEX I - List of Hearings in the Legal Affairs committee - European Parliament

HEARINGS - LEGAL AFFAIRS COMMITTEE - EUROPEAN PARLIAMENT

	Hearing	Date	Experts	Rapporteur
2009	Brussels I	05.10.2009	<ul style="list-style-type: none"> • Professor Burkhard HESS, Institut für ausländisches und internationales Privat- und Wirtschaftsrecht der Ruprecht-Karls-Universität Heidelberg • Professor Marie-Laure NIBOYET, Université Paris X-Nanterre • Professor Horatia MUIR-WATT, Institut d'Etudes politiques de Paris • Professor Luigi MARI, Università degli Studi di Urbino "Carlo Bo" • Alexander LAYTON QC, of the Bar of England and Wales 	Tadeusz Zwiefka
	Workshop on copyright - tackling	10.11.2009	<ul style="list-style-type: none"> • Karin Pilsäter, Chairman of the Committee on Industry 	Klaus-Heiner LEHNE

	<p>orphan works and improving access to works for visually impaired persons</p>		<p>and Trade, Swedish Parliament</p> <ul style="list-style-type: none"> • Magnus G. Graner, State Secretary, Swedish Ministry of Justice • Elisabeth Niggemann, Representative of Europeana, Director General of the German National Library (Deutsche Nationalbibliothek), Member of the High Level Expert Group on European Digital Libraries (HLG) • Tarja Koskinen-Olsson, Honorary President of the International Federation of Reproduction Rights Organisations (IFFRO), Member of HLG • Antoine Aubert, European Copyright Policy Counsel, Google • Jean-François Debarnot, Legal Director, 'Institut National de l'Audiovisuel' (INA), France • Pirjo Hiidenmaa, President of the European Writers' Congress (EWC) • Mihaly Ficsor, Vice- President of the Hungarian Patent Office • Tilman Lueder, Head of unit 'Copyright and Knowledge-based Economy', Internal Market and Services Directorate-General, European Commission • Michael Keplinger, Deputy Director General, World Intellectual Property Organisation (WIPO) • Christopher Friend, Strategic Objective Leader - Accessibility, World Blind Union (WBU), Chair WBU Global Right to Read Campaign • Francisco Martinez Calvo, Technical Advisor, Section of 	
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			<p>Culture and Sports for the Blind, Spanish National Organization of the Blind (ONCE), Board Member of Daisy Consortium</p> <ul style="list-style-type: none"> • Anne Bergman-Tahon, Director of the Federation of European Publishers (FEP) 	
2010	Hearing of the Commissioner-designate Viviane Reding	12.01.2010	<ul style="list-style-type: none"> • 	Klaus-Heiner LEHNE
	Alternative Investment Funds Managers: how to regulate best?	27.01.2010	<ul style="list-style-type: none"> • Anthony BYRNE, Deutsche Bank Global co-Head Prime Brokerage, United Kingdom • Sony KAPOOR, Managing Director, Re-Define (Rethinking Development, Finance & Environment) - an International Think Tank, United Kingdom 	Evelyn REGNER
	Hearing on rights relating to personality, in particular in relation to defamation, in the context of private international law, particularly the Rome II Regulation	28.01.2010	<ul style="list-style-type: none"> • Mr William BENNETT, Barrister at Law, London • Prof. Michael HELLNER, Upsala University • Prof. Dr. Gerhard WAGNER, Bonn University • Dr Jeremy HEYMANN, Université Paris-Est (Paris XII) • M. Jean QUATREMER, Journalist at "Libération". 	Diana WALLIS Tadeusz ZWIEFKA
	Workshop on the proposed regulation on wills and succession and national law	22.03.2010	<ul style="list-style-type: none"> • William Binchy, Barrister-at-Law, Regius Professor of Laws, School of Law, Trinity College of Dublin • Eva Lein, Herbert Smith Senior Research Fellow in Private International Law, British Institute of International and Comparative Law • Rembert Süß, Rechtsanwalt, Deutsches Notarinstitut (Institute of German Notaries) • Sara Godechot-Patris, Professor of Law, Université François Rabelais de Tours 	Kurt Lechner

			<ul style="list-style-type: none"> • Elisabeth Scheuba, Rechtsanwalt, Lecturer (Succession Law, Vienna University), Head of Austrian Bar Delegation to the CCBE (Council of Bar and Law Societies of Europe) • Riitta Leppiniemi, President of the Finnish Bar Association (Suomen Asianajajaliitto) 	
Hearing on digitisation of books and copyright: does one trump the other?	23.03.2010		<ul style="list-style-type: none"> • Santiago de la Mora, EMEA Print Content Partnerships Director, Google • Jonathan Nowell, President of Nielsen Book • Bruno Galindo, Spanish writer and spoken word artist • Alban Cerisier, Senior Adviser to the CEO of Gallimard, France • Friederieke Nielsen, spokesperson of Books on Demand GmbH • Françoise Dubrulle, Director of the European Booksellers Federation and International Booksellers Federation • Prof. Alain Strowel, professor at Saint-Louis University (Brussels), University of Liege and K.U. Leuven • Piotr Marciszuk, President of the Polish Chamber of Books • Rosa Maiello, Italian Library Association 	Marielle GALLO
Monitoring the application of European Union law: Evaluation of the Pilot Project	28.04.2010		<ul style="list-style-type: none"> • Prof. Ludwig KRÄMER, former Head of Unit of Environmental Governance in DG ENVI, visiting professor at the Faculty of Law in University College, London 	Eva LICHTENBERGER

			<ul style="list-style-type: none"> • Ms Marta BALLESTEROS, Director of Brussels office of ClientEarth 	
Workshop on one or more optional instruments for European contract law	29.04.2010		<ul style="list-style-type: none"> • Evelyne Terryn, Professor at K.U.Leuven University • Jérôme Kullmann, Président Aida France, Professeur à l'Université Paris Dauphine, Directeur de l'Institut des Assurances de Paris • Helmut Heiss, Professor at the University of Zurich • William Vidonja, Head of Single Market & Social Affairs, CEA, Brussels • Jean-Paul Coteur, Coordinateur assurances, Test-Achats, Brussels 	Klaus-Heiner LEHNE
Workshop on an optional instrument for EU contract law	27.10.2010		<ul style="list-style-type: none"> • Hans Schulte-Nölke, European Legal Studies Institute, University of Osnabrück • Leena Linnainmaa, Director of Legal Affairs at the Central Chamber of Commerce of Finland • Živa Drol-Novak, Slovenian Consumers' Organisation • Thomas Klink, Judge, Regional Court of Stuttgart • Martijn Hesselink, Centre for the Study of European Contract Law, University of Amsterdam • Marc Frilet, Frilet Société d'Avocats • Christoph Busch, European Legal Studies Institute, University of Osnabrück • Martine Behar-Touchais, University of Paris Descartes, Trans Europe Experts • Monika Jagielska, Judge, Court of Arbitration, Katowice 	Raffaele Baldassarre

			<ul style="list-style-type: none"> • Eva Lein, British Institute of International and Comparative Law 	
	Ensuring the independence of impact assessments	27.10.2010		Angelika Niebler
	Workshop on civil justice: How to facilitate the life of European families and citizens?	30.11.2010	<ul style="list-style-type: none"> • Melchior Wathelet, Belgium's State Secretary for the Budget, Migration and Asylum Policy, Family Policy and Federal Cultural Institutions • Katharina Boele-Woelki, Professor of Private International Law, Comparative Law and Family Law, University of Utrecht • Sjef van Erp, Professor of civil law and European private law, Maastricht European Private Law Institute (MEPLI), Maastricht University; Deputy-Justice, Court of Appeals 's-Hertogenbosch • Eva Becker, Lawyer, Junggeburth & Becker, Berlin • Béatrice Weiss-Gout, Chair of the Committee on Family and Succession Law, The Council of Bars and Law Societies of Europe, lawyer at the Paris bar • Charles Hyde QC, Barrister, Member of QEB Chambers, London • Maria da Conceição Oliveira, Lawyer and Mediator, Council of Europe expert, Portugal • Arcadio Díaz Tejera, Member of the Senate of Spain 	Diana WALLIS Tadeusz ZWIEFKA
2011	Workshop on harmonisation of insolvency proceedings at EU level	22.03.2011	<ul style="list-style-type: none"> • Nora Wouters, McKenna Long & Aldridge LLP, Brussels • Anna Maria Pukszto, Salans law firm, Warsaw • Daniel F Fritz, Hermann Rechtsanwälte, representative 	

			<p>Deutsche Anwaltsverein</p> <ul style="list-style-type: none"> • Neil Cooper, Zolfo Cooper LLP, London and Life President of Insol Europe. • Robert van Galen, NautaDutilh, Amsterdam 	
	Workshop on mediation in civil and commercial matters : Before and after the EU mediation directive	23.05.2011	<ul style="list-style-type: none"> • Ferenc Zombor, Deputy State Secretary, Ministry of Public Administration and Justice • Giuseppe De Palo, President, ADR Center, Italy • Ivan Verougstraete, former President of the Belgian Court of Cassation • Maciej Bobrowicz - President of the National Council of Legal Advisers, Commercial mediator and court's mediator, President of the Polish Association of Commercial Mediation • Christian Duve, Partner, Freshfields • Vincent Tilman, Senior Advisor European Affairs with Eurochambres and Consultant to bMediation • Andrew Leakey, Partner and Head of Social Welfare law at Stephenson Solicitors LLP • Bojana Jovin-Hrastnik, District Court Judge and President of the Council for ADR, Ministry of Justice, Slovenia • Augusta Iannini, Head of the Law Department, Ministry of Justice, Italy • Margarita Garcia Tomé, Director of the Master on Mediation of the Universidad Pontificia de Salamanca, Spain 	Arlene McCarthy

			<ul style="list-style-type: none"> • Bogdan Matei, Lawyer and Mediator, Manager of the International Relations Department, Craiova Mediation Center Association, Romania • Tsisana Shamlikashvili, Mediator, lawyer, President of the Scientific and Methodological Center for Mediation and Law (Russia), Chair of Subcommittee on ADR and Mediation in the Russian Association of Lawyers. 	
Hearing on the proposal for a regulation on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession	20.06.2011	<ul style="list-style-type: none"> • Prof. Ludwig Bittner, President of the Austrian Chamber of Civil Law Notaries • Maître Pascal Chassaing, Notary, Paris, and chair of the working group on law of succession of the CNUE • Patricia García Mediero, Partner, Avantia Asesoramiento Fiscal y Legal • Richard Frimston, Solicitor and Notary Public, Partner with Russell-Cooke LLP, Chairman – STEP / AETPF EU Committee • Daniel Lehmann, Partner in Rölfs RP Rechtsanwaltsgesellschaft, Munich, Chairman – STEP / AETPF Germany • Beatrice Puoti-ffiske, Solicitor, Partner with Burges Salmon LLP 	Kurt Lechner	
Hearing on Smart Regulation	21.06.2011	<ul style="list-style-type: none"> • Sir Stephen Laws QC, First Parliamentary Counsel, Head of the legal drafters in London and Adviser to the UK government on legislative matters • Mr Artur Miśkiewicz - Legislator at the Government Legislation Centre in Poland 	Sajjad Karim	

		<ul style="list-style-type: none"> • Dr Claudio Radaelli - Professor of Political Science, University of Exeter, UK • Dr Helen Xanthaki - Director of the Sir William Dale Centre for Legislative Studies at the Institute of Advanced Legal Studies in London, UK. 	
Hearing on a horizontal instrument for collective redress in Europe?	12.07.2011	<ul style="list-style-type: none"> • Gerard McDermott QC, of the Bar of England and Wales • Mestre Paula Meira Lourenço, Presidente da comissão para a eficácia das execuções, Lisbon • Dr Anke Sessler, Chief Counsel Litigation, Siemens AG • Malcolm Carlisle, European Justice Forum 	Klaus-Heiner Lehne
Workshop on the proposal for a regulation on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I)	04.10.2011	<ul style="list-style-type: none"> • Professor Burkhard Hess, Institut für ausländisches und internationales Privat- und Wirtschaftsrecht der Ruprecht-Karls-Universität Heidelberg • Professor Marie-Laure Niboyet, Université Paris X-Nanterre • Dr Jérémy Heymann, Université Paris I - Sorbonne • Professor Ilaria Pretelli, Università degli Studi di Urbino "Carlo Bo" • Alexander Layton QC of the Bar of England and Wales • Florian Horn, partner and attorney at law, Brauneis Klauser Prändl law firm 	Tadeusz Zwiefka
Hearing on "the threshold of unitary patent protection in Europe"	11.10.2011	<ul style="list-style-type: none"> • Benoît Battistelli, the President of EPO • Stephen F. Jones, partner and head of the Patents 	Bernhard Rapkay, Raffaele Baldassarre,

			<p>Group at Baker&McKenzie LLP</p> <ul style="list-style-type: none"> • Judge Dr. Thomas Kühnen, the Appeals Court of Düsseldorf • Pierre Véron - avocat au Barreau de Paris, professor of the Centre d'Etudes Internationales de la Propriété Industrielle de l'Université Robert Schuman de Strasbourg • Prof. Bruno Van Pottelsberghe, Dean, Solvay Brussels School of Economics and Management, SBS-EM, ULB; and Bruegel • Thierry Sueur, Chairman of BUSINESSEUROPE's "Patents" Working Group 	Klaus-Heiner Lehne.
	Presentation by the working group on EU Administrative law of the working document on state of play and future prospects for EU administrative law followed by a workshop on its conclusions.	22.11.2011	<ul style="list-style-type: none"> • Dr. Mercedes Fuertes, Catedrática de derecho administrativo, Facultad de Derecho, Universidad de León • Dr. Melanie Smith, Cardiff Law School, University of Cardiff • Professor Jacques Ziller, Università degli Studi di Pavia 	Luigi Berlinguer
2012	Hearing on the proposal for a Common European Sales Law	01.03.2012	<ul style="list-style-type: none"> • David Hertzell, Law Commissioner for commercial and common law • Professor Hector MacQueen, Scottish Law Commissioner • Professor Dr. Stefan Leible, University of Bayreuth • Professor Carlo Castronovo, Università Cattolica del Sacro Cuore, Milan • Tina Sommer, Chairman for International Affairs, 	Klaus-Heiner Lehne

			<ul style="list-style-type: none"> Federation of Small Businesses, UK • Dr. Marc Zgaga (German Federation of Buying and Marketing Groups), Union of Groups of Independent Retailers of Europe • Marc Frilet, Frilet Société d'Avocats 	
The European Law Institute	26.03.2012		<ul style="list-style-type: none"> • Sir Francis Jacobs, ELI • Benedicte Fauvarque-Cosson, ELI • Irmgard Griss, ELI • Christiane Wendehorst, ELI • Tobias Schulte in den Bäumen, ELI 	
Workshop on civil protection measures	27.03.2012		<ul style="list-style-type: none"> • Nikolay Angelov, judge at the Regional Court of Plovdiv (Bulgaria) • Vigintas Visinskis, judge at the Appeal Court (Lithuania) • Leticia Mata Mayrand, Fundación ANAR (Spain) 	
Hearing on "Improving audit quality across the European Union"	27.03.2012		<ul style="list-style-type: none"> • Liz Murrall, Director, Corporate Governance and Reporting, Investment Management Association, UK • Philip Johnson, Chairman, Federation of European Accountants (FEE) • Andrew Brown, Chairman, European Group of International Accounting Networks and Associations (EGIAN) • Pr. Dr. Theo Siegert, Managing Partner of Haen Carstanjen & Söhne and member of several audit committees (Deutsche Bank AG, E.ON AG, Henkel AG & Co. KGaA and Merck KGaA) 	Sajjad Karim.

		<ul style="list-style-type: none"> Francis Desmarchelier, Financial Affairs Director, Association Française des Entreprises Privées (AFEP) 	
The 1980 Abduction Convention	27.03.2012	<ul style="list-style-type: none"> Professor Louise Ellen Teitz, First Secretary, Hague Conference on Private International Law 	Eva Lichtenberger
Workshop on Smart Regulation and EU Administrative Law : Making the Union more accessible to citizens	25.04.2012	<ul style="list-style-type: none"> Vibeke Pasternak Jørgensen, Head of EU law Unit, Danish Ministry of Foreign Affairs Pascale Berteloot, Head of Unit "Legal and documentary issues, consolidation and copyright", Publications Office of the European Union William Robinson, Former legal reviser at the Commission, now at the Sir William Dale Centre for Legislative Studies at the Institute of Advanced Legal Studies in London Paul Mollerup, Member of the High Level Group of Independent Stakeholders on Administrative Burdens ('Stoiber Group') Dr Stine Andersen, Academic and legal advisor to the Danish government Marta Ballesteros, ClientEarth, Law firm Prof Linda Senden, Utrecht University Prof Bernardo Giorgio Mattarella, Scuola superiore della pubblica amministrazione, Rome Prof emeritus Hans Ragnemalm, Former EUCJ Judge, Chief Justice of the Supreme Administrative Court of Sweden and Swedish Parliamentary Ombudsman 	Luigi Berlinguer, Sajjad Karim, Eva Lichtenberger
Hearing on the review of the Accounting and Transparency	26.04.012	<ul style="list-style-type: none"> Steve Manteaw, Chairman of the Publish What You Pay Africa Steering Committee 	Klaus-Heiner Lehne, Arlene McCarthy

Directives: the new country by country reporting requirements"		<ul style="list-style-type: none"> • Alexander Woolcombe, Acting Brussels Director, ONE • Vicky Bowman, Global Policy Leader, External Affairs, Rio Tinto • Alan McLean, Executive Vice-President Tax, Shell 	
Hearing on the legal aspects of public procurement and procurement by entities operating in the water, energy, transport and postal services sectors	30.05.2012	<ul style="list-style-type: none"> • Martina Beneventi, Director of the Legal Service, Italian Public Procurement Agency • Eva Sveman, Swedish Association of Local Authorities and Regions • Kathleen Walker-Shaw, European Officer, GMB - Britain's General Union • Alessandra Fratini, PostEurop, Public Procurement WG Chair 	Giuseppe Gargani.
Workshop on Common European Sales Law (CESL)	31.05.2012	<ul style="list-style-type: none"> • Martijn HESSELINK, University of Amsterdam, Netherlands • Ms Ursula PACHL, BEUC • Ms Tiziana POMPEI, UnionCamere, Italy • Mr Gerard Patrick McMEEL, Guildhall Chambers, United Kingdom 	Luigi Berlinguer Klaus-Heiner Lehne
Workshop on the Common European Sales Law (CESL): Remedies	19.06.2012	<ul style="list-style-type: none"> • Prof. Hans Schulte-Nölke, University of Osnabrück, Germany • Prof. Marco Loos, University of Amsterdam, Netherlands • Dora Szentpaly-Kleis, UEAPME, Brussels • Anne-Laure Constanza, Envie de Fraises, on behalf of the French Business Confederation (MEDEF) • Alice Wagner, AK Wien • Burghard Piltz, German Bar 	Luigi Berlinguer Klaus-Heiner Lehne

